

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)**

<b>Serial Number</b>	10/783,598
<b>Confirmation Number</b>	1564
<b>Filing Date</b>	02/20 2004
<b>Title of Application</b>	Systems and Methods for Updating a Query Engine Opcode Tree
<b>First Named Inventor</b>	David Wortendyke
<b>Assignee</b>	Microsoft Corporation
<b>Group Art Unit</b>	2169
<b>Examiner</b>	Yicun Wu
<b>Attorney Docket Number</b>	MS1-2021US
<b>Nature of the Office Communication to which this is responding</b>	Non-Final Office Action
<b>Date of the Office Communication</b>	10/06/2008
<b>Nature of this Document</b>	Response to Non-Final Office Action

To: Commissioner for Patents  
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**Brief Summary of Selected Substantive Portions of this Response**

[0001] In a telephone discussion (on December 10, 2008), the Examiner indicated that there was some confusion regarding the claims addressed in the Office Action mailed October 06, 2008. The Examiner also provided direction regarding the 35 U.S.C. §101 issues raised in the October 6<sup>th</sup> office action. Amendments are presented herein based on the discussion with the Examiner.

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Atty/Agent: Jason F. Lindh

**[0002]** This brief summary is not intended to represent the Applicant's full response to the Action. Rather, it is merely a brief summary of selected substantive portions of the response herein.

## **SPECIFICATION AMENDMENTS**

None

## **CLAIM AMENDMENTS**

### **Claim Amendment Summary**

#### **Claims pending**

Before this Amendment: Claims 1-5, 7, 8, 10-15, 19-21, 25-28, 30, 31, 33, 35-37, and 40-43.

After this Amendment: Claims 1-5, 7, 8, 10-15, 19-21, 25-28, 30, 31, 33, 35-37, and 40-43.

**Non-Elected, Canceled, or Withdrawn claims herein:** None.

**Amended claims:** Claims 1, 31, and 40-43.

**New claims:** None.